

REMARKS

Upon entry of this amendment, claim 1-8 will be amended, whereby claims 1-8 will remain pending. Therefore, upon entry of this amendment, claim 1 will remain as the sole independent claim.

Applicants note that in order to advance prosecution of the application, and without expressing any agreement or acquiescence with the rejections of record, independent claim 1 has been amended to even further define Applicants' invention in accordance with the originally filed application. Support for the amendments to Applicants' claim 1 appears in the claims and in the specification as originally filed, including page 4, lines 22-25, page 7, lines 5-12, page 7, line 23 to page 8, line 5, and page 9, lines 3-11. Moreover, the specification is amended herein to explicitly include the claimed subject matter therein. Accordingly, no prohibited new matter is introduced by the present amendment.

Reconsideration and allowance of the application are respectfully requested.

Claim Of Priority

Applicants express appreciation for the acknowledgment of the claim of priority as well as receipt of the certified copy.

Consideration Of Information Disclosure Statements

Applicants express appreciation for the inclusion with the Office Action of a copy of the initialed Form PTO-1449, whereby the Examiner's consideration of Applicants' Information Disclosure Statements filed April 15, 2004 is record.

Applicants note that the Examiner has crossed through the foreign patent documents indicating that they are duplicates of the cited English language abstracts. Applicants acknowledge that the Examiner has considered each of the documents cited in the Information Disclosure Statement, but is indicating that the foreign patent documents are duplicates of the English language abstracts so that only the English language abstracts will appear on the face of the issued patent.

However, Applicants respectfully request that that the face of the issue patent clearly reflect such consideration. Therefore, Applicants are submitting another copy of the Form PTO-1440 and respectfully request that the Examiner forward a completely initialed Form with the next communication from the Patent and Trademark Office.

Formal Drawings

Applicants note that the Office Action does not object to the drawings. Applicants therefore assume that the drawings submitted with the application are considered to meet all requirements, and no further action is required on the part of the Applicants with respect to submission of formal drawings.

Response To Allowability of Claims 3 and 4

Applicants express appreciation for the indication that claims 3 and 4 are not rejected over prior art but are indicated to be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. However, for the reasons set forth herein each

of the pending claims is patentable over the prior art of record. Accordingly, an early mailing of the Notices of Allowance and Allowability is respectfully requested.

Response To Rejection under 35 U.S.C. § 112, Second Paragraph

Claims 1-5 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite. In this ground of rejection, the Examiner is questioning the structure of the potentially elastic interlaced-textured yarn by questioning the meaning of a number of the terms in claim 1. For example, the Examiner is questioning the intended meaning of "potentially elastic", "potentially crimped", "a total fineness of 20 to 300 deniers", and "the total fines of 30 to 300 deniers".

In response, Applicants respectfully submit that the claims prior to the present amendment clearly and definitely recite Applicants' invention. However, in order to advance prosecution of the application, Applicants have amended the claims to even more clearly present Applicants' invention.

To assist the Examiner's understanding of Applicants' invention, Applicants note that the present invention relates to an interlaced- textured yarn and a woven fabric produced using the same. In this regard, the interlaced-textured yarn is produced by air-interlacing an ultrafine yarn (for example, reference number 1 in FIG. 1), which can be selected from yarns, such as i) a sea-island type of conjugated yarn, ii) a spun type of conjugated yarn, and iii) an ultrafine yarn produced through a direct spinning process, with a latent-crimp yarn, which includes two components, such as polyethyleneterephthalate (PET) or polytrimethylene terephthalate (PTT) (for example, reference number 2 in FIG. 1).

As disclosed in the Applicants' application as filed, the latent-crimp yarn of according to the invention is produced by conjugate-spinning two kinds of polymers having different thermal shrinkages (e.g., PET and PTT) such as in a side-by-side (refer to FIG. 2) or sheath-core manner, and physically forming a coil-shaped crimp using a difference in thermal shrinkage between the polymers when the polymers are heated during a spinning process or a drawing process. At this time, the latent-crimp yarn has superior elasticity due to its shape, which is similar to a spring.

Produced using the thermal shrinkage difference, the latent-crimp yarn is not only heated during the drawing process in the course of producing a grey yarn, but also heated at high temperatures for a long time in the course of dyeing the woven fabric after it is woven, thereby assuring significant crimp and elasticity.

As described above, since crimp (spring shape) and elasticity are not assured until the heat treatment is conducted, the wording "latent-crimp" is used in the specification.

In other words, the latent-crimp yarn of the subject invention and the interlaced-textured yarn, which is produced by air-interlacing the latent-crimp yarn with the ultrafine yarn, have elasticity, and when they are woven and then dyed to produce a fabric, they have improved elasticity.

The interlaced-textured yarn and a suede-like fabric produced using the same according to the subject invention have the effects of i) excellent elasticity and elastic recovery due to the latent-crimp yarn and ii) soft texture and drape caused by the ultrafine yarn.

Accordingly, this ground of rejection should be withdrawn.

Anticipation Rejections

The following rejections appear in the Office Action:

Claim 1 is rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Bennie, U.S. Patent No. 5,691,057, with the rejection asserting that Table 1 shows high and low DPF in examples 1-17.

Claims 1, 2 and 5 are rejected under 35 U.S.C. § 102(e) as being anticipated by Koyanagi, U.S. Patent No. 6,689,461, with the rejection pointing to column 12, line 18 for interlace yarn, and claims 1-9 for materials of construction.

In response, Applicants respectfully submit that Bennie relates to a mixed yarn which includes a grey yarn of 0.2 -1 dpf and another grey yarn of 1 dpf or more. However, Bennie does not disclose a latent-crimp yarn. In other words, Bennie does not seek to assure excellent elasticity and elastic recovery, which are characteristics of the subject invention, and cannot provide these effects.

Koyanagi discloses a false twisted yarn of a latent-crimp yarn and a woven fabric using the same. However, in contrast to Applicants' invention, Koyanagi does not pertain to an interlaced-textured yarn, which is produced by air interlacing the latent-crimp yarn with the ultrafine Yarn. Accordingly, Koyanagi cannot achieve effects of soft texture and drape that are provided by the ultrafine yarn. Moreover, a fabric produced using the yarn of Koyanagi is not a suede-like fabric.

According, the rejections of record are without appropriate basis and should be withdrawn.

CONCLUSION

In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejection of record, and allow each of the pending claims.

Applicants therefore respectfully request that an early indication of allowance of the application be indicated by the mailing of the Notices of Allowance and Allowability. Should the Examiner have any questions regarding this Response, the this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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